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| APPLICATION NO.     | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.   | CONFIRMATION NO. |
|---------------------|-------------|----------------------|-----------------------|------------------|
| 09/800,400          | 03/05/2001  | Alan Tsu-l Yaung     | 1954P/STL920000109US1 | 2684             |
| 7590                | 02/06/2006  |                      | EXAMINER              |                  |
| SAWYER LAW GROUP    |             |                      |                       | SAIN, GAUTAM     |
| P.O. Box 51418      |             |                      |                       |                  |
| Palo Alto, CA 94303 |             |                      |                       |                  |
|                     |             |                      |                       | ART UNIT         |
|                     |             |                      |                       | PAPER NUMBER     |
|                     |             |                      |                       | 2176             |

DATE MAILED: 02/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| <b>Office Action Summary</b> | Application No. | Applicant(s) |
|------------------------------|-----------------|--------------|
|                              | 09/800,400      | YAUNG ET AL. |
| Examiner                     | Art Unit        |              |
| Gautam Sain                  | 2176            |              |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 14 November 2005.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4)  Claim(s) 1-23 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1-23 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_.  
\_\_\_\_\_

## DETAILED ACTION

- 1) This is a Final Rejection in response to Amendments/Remarks filed on 11/14/05.
- 2) Claims 1-23 are pending.

### ***Claim Rejections - 35 USC § 103***

- 3) The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**3-1) Claims 1,2,3,6,7,8,9,10,13,14,15,16, 17, 20,21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Triggs (US Patent 6546387 B1, filed Nov 15, 1999), in view of Chandra et al (US 2002/0138582, provisional filed 9/5/2000), further in view of Lindhorst et al (US 6714219, filed Dec 31, 1998).**

Regarding claim 1,7,8, 14, 15, 21, Triggs teaches a *message caching agent for receiving the message* (ie., information collection agents ... in an event database )(col 2, lines 30-43)(col 2, line 65 col 3, line 8)(ie., email readers ... incoming information)(col 5, lines 45-60).

Triggs teaches a *message publishing agent ...page builder tool* (ie., web builder tool publish as a web site in a format ... )(col 8, lines 49-line 67).

Triggs does not expressly teach the amended limitations, but Chandra suggests a message cache ... page builder tool (ie., the client enables the viewing of applications off-line by creating snapshot of application in a locale cache with a reference to a

corresponding result object with a page editor (or builder) which allows the user to assemble different building blocks into a page; applying the broadest reasonable interpretation for the claim language to show a suggestion of the message cache in connection with the page builder tool)(paragraph 341, 362).

Triggs in view of Chandra does not express teach the amendment where in the message publishing ... page builder tool, however, Lindhorst does suggest the limitation with the amendment (ie., In a drag and drop creation and editing of a page incorporating scripts, without a request from a browser, broadcasting or multicasting using a push web model, incorporated information stored in non-volatile memory)(col 15, lines 15-18)(ASP caching data in the server )(col 4, lines 31-32).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Triggs to include a client with a page builder that allows users to assemble different building blocks that enables the viewing of application off-line by creating snapshot of application in a locale cache as taught by Chandra, providing the benefit of a communication system that provides ways to share messages, providing the best features of e-mail, the web and instant messaging, linking messages to other related messages to obtain a view of complex webs of messages and methods and mechanisms that can aggregate related topical information within the context of a single message or web of messages (Chandra, para 28 – 33), further to include web page editing with scripts for broadcasting using a push web model, without a request from a browser as taught by Lindhorst, providing the benefit of a richer, faster and more

interactive web site, with data published without user request (Lindhorst, col 1, lines 27, 38) for web broadcasting (col 15, line 17).

**Regarding claim 2, 9, 16,** Triggs teaches *message publishing ... pushes ... tool* (ie., reference to Microsoft Frontpage ... information is uploaded to the server ... )(col 8, lines 55-67).

**Regarding claims 6, 13, 20,** Triggs teaches a *message publishing tool ... message caching agent* (ie., Web Builder ... build web sites and publish them ... Microsoft Frontpage reference ... information is uploaded to the holding server ... )(col 8, lines 49-67).

**Regarding claims 3, 10, 17,** Triggs does not explicitly teach, but Chandra teaches “publishing agent is a servlet” (ie., plurality of servlet constructs that implement the services ... mail formatter which may be implemented in the form ... dynamic content creation servlets .. web page formatter ... formatting web pages )(para 211).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Triggs to include web page formatters with a plurality of servlet constructs that implement the services as taught by Chandra, providing the benefit of a communication system that provides ways to share messages, providing the best features of e-mail, the web and instant messaging, linking messages to other related messages to obtain a view of complex webs of messages and methods and mechanisms that can aggregate related topical information within the context of a single message or web of messages (Chandra, para 28 – 33).

**3-2) Claims 4,5,11,12,18,19,22,23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Triggs (as cited and applied to claims 1, 7, 14, respectively above) and Chandra (as cited above), in view of Underwood et al (US Patent 6697825 B1, filed Aug 2000), further in view of Lindhorst (as cited above).**

Regarding claims 4, 5, 11,12, 18,19, 22, 23, Triggs in view of Chandra falls short of expressly teaching, but Underwood teaches a *message publish ... request from the web browser ... publishing the message ... page builder tool* (ie., Web Definer allows users to construct and publish a complete web site using the definer)(col 9-67)(ie., Content Definer ...)(col 27, lines 28-54)(ie., Manager restores the user context and extracts commands the user wishes to execute ... every command sent to the Definer ... Manager generates response to a user request in HTML and passed back to the user)(ie., Definer macros for producing documents within Definer web-site)(ie., user clicks Notify on the page .. DXC constructs the HTML that contains the callback messages ... Definer Text Editor... )(col 50, lines 37-67; figure 73; fig 20, item 2000)(ie., applet that allows users to edit)(col 50, line 64-67).

Triggs in view of Chandra and Underwood does not express teach the amendment where in the message publishing ... page builder tool, however, Lindhorst does suggest the limitation with the amendment (ie., In a drag and drop creation and editing of a page incorporating scripts, without a request from a browser, broadcasting or multicasting using a push web model, incorporated information stored in non-volatile memory)(col 15, lines 15-18)(ASP caching data in the server )(col 4, lines 31-32).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Triggs in view of Chandra to include a Web Definer, a Content Definer, a Manager that responds to user requests in HTML and defines macros with applets for producing documents with a web site as taught by Underwood, providing the benefit of an improved method and apparatus for web site generation that allows a user to make various selections regarding of a web site and for the web site to maintain an overall consistency, regardless of the choices and collection of various information from an external database to be used in making automatic selections regarding the design of a web site (col 3, lines 50-67), further to include web page editing with scripts for broadcasting using a push web model, without a request from a browser as taught by Lindhorst, providing the benefit of a richer, faster and more interactive web site, with data published without user request (Lindhorst, col 1, lines 27, 38) for web broadcasting (col 15, line 17).

***Response to Arguments***

Applicant's arguments filed 1/14/05 have been fully considered but they are not persuasive. All of Applicant's arguments (starting on page 9, bottom to page 14) deal with the amended portions of the claims, specifically dealing with the pushing of the message to a web browser. To teach this amendment, the Examiner introduces the Lindhorst reference in conjunction with the references previously cited (see above rejections for details). The Applicant does not specifically argue the non amended portions of the claims, that the references do not teach those portions. Examiner

maintains the rejection for unamended limitations with the previously applied prior art (see rejections above for details).

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gautam Sain whose telephone number is 571-272-4096. The examiner can normally be reached on M-F 9-5 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached on 571-272-4136. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C.S.  
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William L. Bashore  
WILLIAM BASHORE  
PRIMARY EXAMINER  
2/1/2006